

REMARKS/ARGUMENTS

Claims 1-23 are pending in the application. Claims 1, 4, 9, 16 and 18-21 have been amended, and new claims 24-27 have been added. No new matter has been added. Reconsideration of the claims is respectfully requested.

Applicants thank the Examiner for conditional allowance of Claims 4-18 if rewritten as set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

Claim Rejections – 35 U.S.C. § 112

In paragraph 3 on page 2 of the Office Action, claims 1-23 are rejected under 35 U.S.C. § 112 second paragraph for being indefinite and failing to point out and claim the subject matter which applicant regards as the invention. The Applicants respectfully traverse this rejection, but have amended the application to overcome the objections.

Claims 1, 20 and 21 have been amended for clarity and to correct the antecedent basis. The scopes of claims 1, 20 and 21 are unchanged by this amendment. No new matter is added.

Claims 9, 16, 18 and 19 are rejected for using the phrase “and/or”. Claims 9, 16, 18 and 19 are amended to include only “and”, and new claims 24-27 are added, which mimic claims 9, 16, 18 and 19 but include only “or”. The scope of the claims is unchanged by these amendments. No new matter is added.

It is believed that all claims comply with 35 U.S.C. § 112.

Claim Rejections – 35 U.S.C. § 102

In paragraph 5 on page 3 of the Office Action, claims 1-3 and 9-23 are rejected under 35 U.S.C. §102 (b) as being anticipated by Alford (US Patent No. 6554264).

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their limitations, must be found in the prior art reference to maintain a rejection based on 35 U.S.C. §102. Applicants respectfully submit that Alford does not teach every element of independent claims 1 and 19, and therefore fails to anticipate independent claims 1 and 19.

The tool 10 of Alford comprises an extension bar 12 having an outer tubular element 14 and an inner tubular extension element 16 which is received in telescoping relation within the outer tubular element 14 (see column 3, lines 1-6). The outer tubular element 14 is composed of a drive head section 15 which is disposed in end-to-end abutment with an extension section 17, defining an abutment joint 19 (see column 3, lines 6-11).

In particular, note Figure 8 of Alford, which shows an arrangement of angular leg members 136 and 138. Because this arrangement is mounted on top of the extension section 17 of the outer tubular element 14 (see column 7, lines 37-43), it cannot serve as a top frame supporting structure. As a result, Alford fails to teach or disclose "means for varying a maximum potential footprint of the worktop section operation by varying the length of the top frame supporting structure," as recited by independent claim 1. Therefore, Alford fails to anticipate independent claim 1.

Regarding independent claim 19, Alford fails to disclose the particular arrangement of primary and secondary clamping/displacement vehicles recited by independent claim 19. As a result, Alford fails to anticipate claim 19.

Dependent claims 2-3 and 20-23, which are dependent from independent claims 1 and 19, were also rejected under 35 U.S.C. §102(b) as being unpatentable over Alford. While Applicants do not acquiesce with the particular rejections to these dependent claims, it is believed that these rejections are moot in view of the remarks made in connection with independent claims 1 and 19. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 2-3 and 20-23 are also in condition for allowance.

Allowable Subject Matter

Claim 4 is amended to appear in independent form, including the amendment of claim 1 to fix the antecedent basis. The scope of claim 4 is unchanged by this amendment. No new matter is added. Accordingly, claim 4 is allowable.

Claims 5-18, which depend from amended claim 4, are therefore also allowable.

Conclusions

In view of the amendments and reasons provided above, it is believed that all pending claims are in condition for allowance. Applicant respectfully requests favorable reconsideration and early allowance of all pending claims.

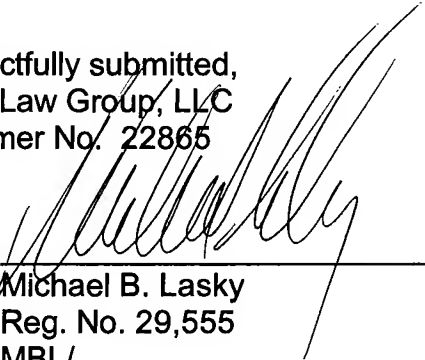
If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Michael B. Lasky at (952) 253-4106.

Date:

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APPENDIX